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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,312	02/25/2002	David Kammer	PALM-3741.US.P	5496

7590 04/13/2011
WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

TRAN, TUAN A

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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04/13/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/083,312

Applicant(s)

KAMMER ET AL.

Examiner

TUAN A. TRAN

Art Unit

2618

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 March 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Tuan A Tran/
Primary Examiner, Art Unit 2618

Continuation of 11. does NOT place the application in condition for allowance because: The applicant's arguments (See Remark) have been fully considered but they are not persuasive. The applicant argued that Larsson fails to teach the claimed limitations of one device contains a list and a separate device initiating communication. The examiner respectfully disagrees with the applicant's arguments. In this instant case, Since Larsson does suggest that the second computer system being configured to allow communications with only those devices that are on a predetermined allowed list (See col. 4 lines 25-40); therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the system of Larsson such that the second computer system can only establish the Bluetooth connection with the first handheld computer system (i.e. by sending the response message) when the first handheld computer system is on its allowed list, for the advantage of protecting the user privacy as well as preventing unauthorized communications. The applicant also argued that Larsson teaches performing an inquiry, in direct opposition to the instant claimed limitation of "without... a Bluetooth inquiry message" as recited in claims (See Remark, page 4-6). The examiner respectfully disagrees with the applicant's argument. In this instant case, Larsson does clearly show that the Bluetooth connection establishing bypasses a Bluetooth discovery process (See fig. 8 and col. 4 line 60 to col. 5 line 8), wherein the Bluetooth addresses can be pre-stored (i.e. obtained) by manually entered via user interface (See col.6 lines 41-64). The applicant further argued that Larsson teaches away from both devices being handheld (See Remark, page 6-11). The examiner respectfully disagrees with the applicant's argument. In this instant case, since Larsson does suggest such method (i.e. Bluetooth connection establishing bypasses a Bluetooth discovery process) can be applied to the handheld environment (i.e. handset and car kit) without utilizing the ability to sense and respond to all such car events of the car kit as argued (See fig. 8 and col. 4 line 60 to col. 5 line 8) , but not explicitly between a handheld computer system and another handheld computer system; therefore, it would have been obvious to one skilled in the art at the time the invention was made to apply such method for handheld computer systems for the advantage of expanding the application to various types of communications systems. For those reasons, the rejection(s) are proper and maintained.